

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

2009 AUG 18 AM 10:00

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CECIL HOWARD, a/k/a
Alonzo Whitehead,

Plaintiff,

vs.

CIVIL ACTION NO.: CV608-025

S. UPTON, Warden; DANE DASHER,
Deputy Warden, and JOHNNY SMITH,
Unit Manager,

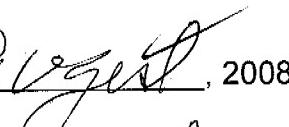
Defendants.

O R D E R

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Plaintiff contends that his rights were violated and that Defendant Upton should be held accountable. However, Plaintiff has not set forth any facts sufficient to allege that Defendant Upton violated his rights. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Plaintiff's claims against Defendant Upton are **DISMISSED**. Additionally, Plaintiff's claims against Defendants Smith and Dasher based upon allegations that his mail was thrown away are **DISMISSED**.

SO ORDERED, this 16 day of August, 2008.


B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA